

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 11-1201 as follows:

6 (625 ILCS 5/11-1201) (from Ch. 95 1/2, par. 11-1201)  
7 Sec. 11-1201. Obedience to signal indicating approach of  
8 train.

9 (a) Whenever any person driving a vehicle approaches a  
10 railroad grade crossing where the driver is not always  
11 required to stop, the person must exercise due care and  
12 caution as the existence of a railroad track across a highway  
13 is a warning of danger, and under any of the circumstances  
14 stated in this Section, the driver shall stop within 50 feet  
15 but not less than 15 feet from the nearest rail of the  
16 railroad and shall not proceed until the tracks are clear and  
17 he or she can do so safely. The foregoing requirements shall  
18 apply when:

19 1. A clearly visible electric or mechanical signal  
20 device gives warning of the immediate approach of a  
21 railroad train;

22 2. A crossing gate is lowered or a human flagman  
23 gives or continues to give a signal of the approach or  
24 passage of a railroad train;

25 3. A railroad train approaching a highway crossing  
26 emits a warning signal and such railroad train, by reason  
27 of its speed or nearness to such crossing, is an  
28 immediate hazard;

29 4. An approaching railroad train is plainly visible  
30 and is in hazardous proximity to such crossing;

31 5. A railroad train is approaching so closely that

1 an immediate hazard is created.

2 (a-5) Whenever a person driving a vehicle approaches a  
3 railroad grade crossing where the driver is not always  
4 required to stop but must slow down, the person must exercise  
5 due care and caution as the existence of a railroad track  
6 across a highway is a warning of danger, and under any of the  
7 circumstances stated in this Section, the driver shall slow  
8 down within 50 feet but not less than 15 feet from the  
9 nearest rail of the railroad and shall not proceed until he  
10 or she checks that the tracks are clear of an approaching  
11 train.

12 (b) No person shall drive any vehicle through, around or  
13 under any crossing gate or barrier at a railroad crossing  
14 while such gate or barrier is closed or is being opened or  
15 closed.

16 (c) The Department, and local authorities with the  
17 approval of the Department, are hereby authorized to  
18 designate particularly dangerous highway grade crossings of  
19 railroads and to erect stop signs thereat. When such stop  
20 signs are erected the driver of any vehicle shall stop within  
21 50 feet but not less than 15 feet from the nearest rail of  
22 such railroad and shall proceed only upon exercising due  
23 care.

24 (d) At any railroad grade crossing provided with  
25 railroad crossbuck signs, without automatic, electric, or  
26 mechanical signal devices, crossing gates, or a human flagman  
27 giving a signal of the approach or passage of a train, the  
28 driver of a vehicle shall in obedience to the railroad  
29 crossbuck sign, yield the right-of-way and slow down to a  
30 speed reasonable for the existing conditions and shall stop,  
31 if required for safety, at a clearly marked stopped line, or  
32 if no stop line, within 50 feet but not less than 15 feet  
33 from the nearest rail of the railroad and shall not proceed  
34 until he or she can do so safely. If a driver is involved in

1 a collision at a railroad crossing or interferes with the  
2 movement of a train after driving past the railroad crossbuck  
3 sign, the collision or interference is prima facie evidence  
4 of the driver's failure to yield right-of-way.

5 (d-1) No person shall, while driving a commercial motor  
6 vehicle, fail to negotiate a railroad-highway grade railroad  
7 crossing because of insufficient undercarriage clearance.

8 (d-5) (Blank).

9 (e) It is unlawful to violate any part of this Section.

10 (1) A violation of this Section is a petty offense  
11 for which a fine of \$250 shall be imposed for a first  
12 violation, and a fine of \$500 shall be imposed for a  
13 second or subsequent violation. The court may impose 25  
14 hours of community service in place of the \$250 fine for  
15 the first violation.

16 (2) For a second or subsequent violation, the  
17 Secretary of State shall may suspend the driving  
18 privileges of the offender for a minimum of 6 months. The  
19 Secretary shall, as a condition of reinstating the  
20 driving privileges of the offender, require the offender  
21 to participate in a driver remedial or rehabilitative  
22 program.

23 (f) Corporate authorities of municipal corporations  
24 regulating operators of vehicles that fail to obey signals  
25 indicating the presence, approach, passage, or departure of a  
26 train shall impose fines as established in subsection (e) of  
27 this Section.

28 (Source: P.A. 92-245, eff. 8-3-01; 92-249, eff. 1-1-02;  
29 92-651, eff. 7-11-02; 92-814, eff. 1-1-03; 92-834, eff.  
30 8-22-02; revised 8-26-02.)

31 Section 99. Effective date. This Act takes effect upon  
32 becoming law.